

REMARKS

Claims 12-22 are now pending in the application. Claims 12, 16, and 19 are amended. No new matter is presented. The above amendments and the following remarks are considered by Applicants to overcome each rejection raised by the Examiner and to place the application in condition for allowance. An early Notice of Allowance is therefore requested.

Claim 19 is objected to for containing an informality. Claim 19 is amended to overcome the cited objection. Therefore, Applicants request that the objection to claim 19 be withdrawn.

Claim 16 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite. The Examiner indicates that the phrase "and/or" renders the claimed indefinite. Claim 16 is amended to overcome the cited rejection. Applicants request that the rejection of claim 16 under 35 U.S.C. 112, be withdrawn.

Claims 12, 13, 16-19, 21, and 22 are rejected under 35 U.S.C. 102(b) as being anticipated by Rosenberger (U.S. Patent No. 4,168,881). The Examiner takes position that Rosenberger teaches or suggests all the features recited in claims 12, 13, 16-19, 21, and 22. Applicants respectfully disagree.

Rosenberger is directed to an anti-vibration microscope stand. Rosenberger discloses that the eyepiece and the objective lenses are separately mounted, the objective being mounted in a cantilever member which is rigidly attached to a rigid portion of a support pillar. The eyepiece is also cantilevered out from the support pillar. The effect of vibration is minimized by letting the objective furnish an infinite focus, the image being viewed by a telescopic eyepiece.

It is submitted that Rosenberger does not teach or suggest all the features recited in claim 12. In Rosenberger, the turret is held by the lens mounting arm 24 which is attached

rearwards to the pillar 14. The pillar 14 holds the stage 18 and the pillar 14 forms the eyepiece arm 24. At a result, the pillar acts as the microscope stand. In contrast to Rosenberger, in claimed invention, the stand 1 is separated from the supporting cell 7, so that the unit formed by the supporting cell 7, turret holder 14, and the guide plate 11 is much more rigid than the device disclosed by Rosenberger. In other words, in the claimed invention, the objective turret and the stage are fixed on the same supporting cell. In addition, it is submitted that Rosenberger fails to teach or suggest that the supporting cell is a single structure as provided in the claimed invention. In view of these distinctions, Applicants request that the rejection of claims 12, 13, 16 – 19, 21, and 22 be withdrawn.

Claims 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rosenberger in view of Kanao (U.S. Patent No. 6,594,075). The Examiner takes the position that the combination of Rosenberger and Kanao teach or suggest all the features recited in claims 14 and 15. Applicants respectfully traverse the rejection of claims 14 and 15.

Kanao is directed to a microscope that includes a column that stands upright on a base, an LED light source, a stage for placing a specimen irradiated with light from the LED light source, a lens barrel which is arranged to face the specimen on the stage and has an observation optical system for acquiring the observation image of the specimen.

It is submitted that Kanao fails to cure the deficiencies of Rosenberger. It is further submitted that since claims 14 and 15 are dependent upon claim 12, claims 14 and 15 recite patentable subject matter for at least the reasons mentioned above. Specifically, the recited references fail to teach or suggest a supporting cell being a single structure. Therefore, Applicants request the withdrawal of the rejection of claims 14 and 15 under 35 U.S.C. 103(a).

Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rosenberger (U.S. Patent No. 4,168,881) in view of Weiss (U.S. Publication No. 2003/0133190). The

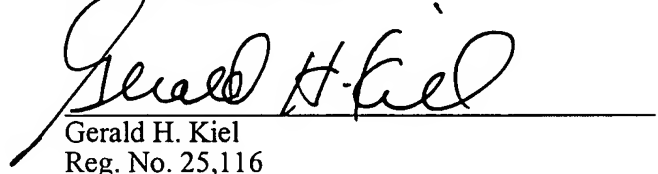
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Examiner takes the position that the combination of Rosenberger and Weiss teach or suggest all the features recited in claim 20. Applicants respectfully disagree.

Claim 20 is dependent upon claim 12. Therefore, it is submitted that for at least the reasons mentioned above, claim 20 recites patentable subject matter. Thus, in view of the amendments to claim 12 and the reasons cited above, Applicants request the withdrawal of the rejection of claim 20 under 35 U.S.C. 103(a).

For the reasons presented above, claims 12-22, all the claims pending in the application, are believed by Applicants to define patentable subject matter and should be passed to issue at the earliest possible time. A Notice of Allowance is requested.

Respectfully submitted,



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